

Clerk, U.S. District Court
Southern District of Texas
FILEDUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

SEP 22 2012

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Rodrigo Diaz-Lopez

CRIMINAL COMPLAINT

Case Number:

C42-1014M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 21, 2012 in Brooks County, in the

(Date)

Southern District of Texas defendant, **Rodrigo Diaz-Lopez**

a native and citizen of Mexico, and an alien who had been previously deported from the United States, was discovered to be within the United States unlawfully in Brooks County, Texas, the said defendant having not obtained the consent of the Attorney General or the Secretary of the Department of Homeland Security for application for readmission into the United States,

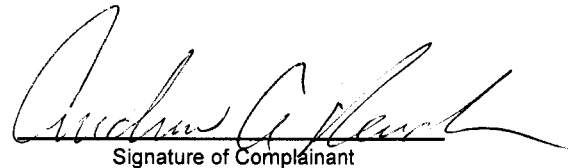
in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Special Agent and that this complaint is based on the

Official Title

following facts:

On September 21, 2012, Rodrigo DIAZ-Lopez was encountered by United States Border Patrol (USBP) Agents at the USBP Checkpoint located near Falfurrias, Texas on U.S. Highway 281 as part of a one on thirteen alien smuggling attempt. During an immigration inspection, DIAZ admitted to being a citizen of Mexico illegally present in the United States. DIAZ was arrested and escorted into the checkpoint for processing. Record checks revealed DIAZ was previously ordered removed by an Immigration Judge on March 16, 2000 and physically removed from the United States on March 17, 2000. On or about July 14, 2003, DIAZ was sentenced to thirty months imprisonment for violating 8 USC 1325. On or about April 29, 2005, DIAZ was removed from the United States. On or about May 11, 2007, DIAZ was sentenced to seventy-two months imprisonment for violating 8 USC 1326. DIAZ was removed from the United States on January 7, 2012. There is no evidence that DIAZ has requested permission to re-enter the United States from the Attorney General or the Secretary of the Department of Homeland Security.



Signature of Complainant

Andrew A. Rendon

Printed Name of Complainant

Sworn to before me and signed in my presence, and probable cause found.

September 22, 2012

Date

Brian L. Owsley U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State



Signature of Judicial Officer